

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PUC INVESTIGATION AND ENFORCEMENT,	:	Docket No. C-2018-3006534
Complainant	:	
v.	:	
SUNOCO PIPELINE, L.P. a/k/a	:	
ENERGY TRANSFER PARTNERS	:	

PETITION TO INTERVENE OF EDMONT TOWNSHIP

Edmont Township (Edmont or Petitioner), by and through its attorneys, MICHAEL P. PIERCE and Pierce & Hughes, P.C. , pursuant to 52 Pa. Code Section 5.71 *et seq.*, hereby Petitions to Intervene in the above-captioned consolidated proceedings. In support of its intervention, Edmont Township represents as follows.

**I. Introduction**

1. Petitioner is Edmont Township, a Township of the Second Class, with its principal office located at 1000 Gradyville Road, Gradyville, PA 19039.

2. Petitioner is represented by the following attorney whose contact information is:

Michael P. Pierce, Esquire (authorized to receive service)  
Pierce & Hughes, P.C.  
17 Veterans Square  
P. O. Box 604  
Media, Pa. 19063  
(610) 566-9111 (voice)  
(610) 566-0191 (fax)  
[Mppierce@pierceandhughes.com](mailto:Mppierce@pierceandhughes.com)

Counsel for Edmont is authorized to accept service on its behalf. Edmont requests that the Commission and all parties of record serve copies of all documents (including but not limited to correspondence, discovery requests and answers, Commission orders, pleadings and testimony) electronically on its counsel of record as well as by hard copy.

3. On or about December 13, 2018, PUC Investigations and Enforcement filed a complaint alleging violations of United States Code, Code of Federal Regulations, and the Pennsylvania Code as a result of the investigation of a leak that occurred in Morgantown, Berks County.

4. On April 1, 2017, a segment of the Mariner East line identified as the Twin Oaks to Montello Pipeline, experienced a leak at station 2449+12 located near 5530 Morganton Road, Morgantown, Berks County, Pennsylvania. The pipeline was carrying ethane and propane at the time of the leak, the same or similar product as is currently being transported in pipes located in Edgmont Township.

5. Sunoco's accident report filed with PHMSA detailed a loss of 84 gallons of HVL products. A Laboratory analysis attributed the failure of ME1 to pipeline corrosion, resulting in the leak.

6. Investigation and Enforcement conducted a preliminary investigation for time periods between April 2017 and May 2018, which concluded multiple violations of the applicable PHMSA pipeline safety standards existing relating to Respondent's deficiencies in the inspection, testing, and cathodic protection methods employed by the Respondent.

7. The Investigation and Enforcement complaint stated that Respondent's deficient procedures and overall application of corrosion control and cathodic protection practices are prevalent in the entirety of the ME1 pipeline, and that there is a statewide concern with Respondent's corrosion control program and the soundness of Respondent's engineering practices with respect to cathodic protection.

8. The Investigation and Enforcement complaint offers specific instances where pipelines share a common Right of Way where electrode monitoring testing for cathodic protection is inaccurate, and Respondent relied on this method of testing on multiple occasions, thereby raising significant concerns by Edgmont residents.

9. On February 1, 2019, Defendant Sunoco Pipeline, LP, filed an Answer and New Matter to the Complaint.

## **II. Edgmont's Interest in Proceedings**

10. The Petitioner is a Second Class Township situate in Delaware County, Pennsylvania, consisting of approximately 9.74 square miles in area with an approximate population of 4,000.

11. Edgmont serves as a major corridor for several Sunoco pipelines, including the repurposed 12" Point Breeze to Montello pipeline (the workaround pipeline for Mariner East 2) and the Mariner East 2 pipeline, which is currently partially constructed and not useable. Attached as Exhibit "A" is a diagram of Sunoco's HVL pipelines within the Township.

12. The Twin Oaks and Point Breeze to Montello Pipeline (the Mariner East II 'work around pipeline') are at times within the same Right of Way in Edgmont where Respondent has previously stated to Edgmont that the ILI and hydrostatic testing results have been 'satisfactory'.

13. Based on the details of the I & E investigation and resultant complaint, the Township cannot rely on Respondent's inspections and reports to be accurate and ensure proper coatings and pipe thickness are maintained, especially in light of the utilization of repurposed lines.

14. Edgmont is a community with approximately 250 single family residential dwellings utilizing well water, in close proximity to the existing and proposed Respondent pipelines. These aforesaid homes have limited or no direct access to public water service and no clear emergency evacuation plan provided by Respondent, such that said pipeline causes a clear and present danger to the residents.

15. Edgmont is aware of at least three Sunoco Pipeline 'incidents' that occurred within the Township boundaries resulting in soil and ground water contamination.

16. In 2015, a pipeline incident consisted of a pinhole size leak of petroleum product that seeped out of the pipeline and into the ground and surrounding areas. Said leak was undetected by Respondent's pressure sensing technologies between valve stations. The leak was only discovered by a resident who smelled the product in the air and notified Respondent, who later confirmed the leak.

Respondent continues the cleanup and remediation of the site at the present time.

17. Edgmont has issued a Proclamation and several letters to the PUC, DEP, elected officials, and Governor Wolf , previously stating its public safety concerns. This Proclamation and letters are attached hereto as Exhibit "B".

18. Edgmont has an interest which is not adequately represented by the existing participants and without Edgmont's participation, any potential Commission Order in this proceeding will not provide the information and/or solutions requested in Edgmont's requested relief in this Petition for Intervention.

19. Edgmont has an interest which is directly impacted by any changes to procedure, inspection, direction and disaster planning such that Edgmont is a necessary and appropriate party to this action.

### **III. Grounds for Edgmont's Intervention**

20. The eligibility to intervene is governed by Section 5.72 of the Commission's regulations. 52 Pa. Code § 5.72.

21. Respondent is required under the Code to maintain safe and reasonable facilities. 66 Pa. C.S. § 1501.

22. Respondent's facilities traverse Edgmont Township and are in close proximity to residential dwellings, and various public assembly areas, including a life care facility and retail shopping centers. The allegation of lack adequate emergency planning and public awareness directly affects the ability of Edgmont to monitor and implement an Emergency Evacuation Plan and Safety Plan.

23. In the past there have been multiple "incidents" or "occurrences" that have directly affected the water, land and property of Edgmont Township related to pipelines owned, operated and/or controlled by the Respondent Sunoco Pipeline, L.P., a/k/a Energy Transfer Partners.



24. Each “incident” or “occurrence” was detected by sight and/or smell by various residents of the Township.

25. The aforesaid incidents went undetected by the Respondent and would have continued for extended periods of time had it not been for visual or olfactory observation that resulted in the incidents being reported

26. All of the prior “incidents” or “occurrences” impacted the Township and could have significantly larger impact to the Health, Safety and Welfare of the Township residents had the conditions remained undetected and/or gone unreported.

27. The product flowing through the lines currently is much more volatile than the prior petroleum product and presents significant detection issues to Residents and/or First Responders.

28. The aforesaid incidents and/or occurrences directly impacted the land in Edgmont with soil and/or water contamination causing hardship and endangering the safety of the Township residents.

29. The Township has had significant difficulty in regard to compliance issues with Respondent in the past and is concerned that the Respondent has failed to adhere to various agreements specifically related to notice, permitting, inspection and remediation such that the health, safety and welfare of Township’s residents have been or may be impacted by the continuing conditions and/or operation of the pipeline facilities without further oversight and significantly greater detection systems being put in place.

30. Edgmont will be irreparably harmed in the event Respondent fails to ensure the safety and reasonableness of facilities located within the Township absent more stringent, adequate, appropriate and enhanced safeguards being put in place.

31. Edgmont has a direct and substantial interest in the instant proceedings which is not currently and cannot be adequately represented by any other Party. This satisfies the Commission's standards for leave to intervene pursuant to 52 Pa. Code § 5.72(a)(2).

#### **IV . Requested Relief**

32. Edgmont respectfully requests leave to intervene in the instant action and is requesting the following non-exhaustive remedies and/or relief to address their needs:

- a) That the Commission grant I & E's enforcement order for all relief requested;
- b) That the Commission order Sunoco to provide Edgmont Township with any and all completed "remaining life study" of the various pipelines for the Township's review;
- c) That the Commission order Sunoco to determine the adequacy of cathodic protection and corrosion levels for the portions of Mariner East pipelines which are located within Edgmont Township;
- d) That the Commission require Sunoco to verify all segments of ME1, without exception and particularly within Edgmont Township, have been inspected via ILI Inspections and provide documentation of the same to Edgmont Township;
- e) That the Commission not allow ME1 to resume operation until the "remaining life study " is completed and the adequacy of cathodic protection and corrosion levels of Mariner East Pipelines in Edgmont Township is determined;
- f) Ensuring the Township receives a full and complete incident response plan which would address practical and/or viable worst case scenario evacuation routes to be developed in conjunction with the Township, emergency personnel and potentially impacted Township shareholders;
- g) Respondent to provide enhanced and updated Safety Training coupled with State of the Art Emergency Response Equipment provided to First Responders of the Township at Respondent's sole cost;
- h) Respondent relocate any "new pipelines" to a distance away from existing residences and infrastructure equal to or greater than the Potential Impact Radius of a compromised pipeline;
- i) Requiring Respondent to install an automatic shutoff valve at the entry and exit points of the Township boundaries and any other locations within the Township to maximize resident safety and minimize any potential catastrophic impact;
- j) Requiring Respondent to install a release detector instruments at safe intervals along the pipeline to be provided, installed and maintained by the Respondent as well as adequate and appropriate training to Township First Responders related to the same;
- k) Increasing the frequency of inline and hydration testing to a minimum of yearly with all of the testing results provided to the Township within 30 days of completion;
- l) Mandatory reporting by Respondent to the Township of any and all pipeline incidents including but not limited to damaged pipeline coating, breaks, leaks, spills,

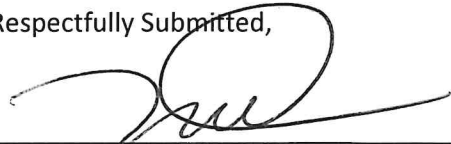
incidents, inadvertent returns or any such similar occurrences even if no product is released;

- m) Mandatory infusion of additives into the product being moved through the pipelines that would emit an odor and distinctive coloration that would be easily detectable by those in close proximity to the pipeline as well as electronic sniffing equipment;
- n) Expansion of the "impacted" areas surrounding the pipeline for possible installation of alternative water supplies;
- o) Production of any and all studies immediately related to the impact of the pipeline on natural water supplies including aquifers serving the Township residents;
- p) Providing the Township with any and all pipeline incident reports even if no product is released including but not limited to operator error, damaged pipeline coating and inadvertent returns or releases within 7 days;
- q) Adherence to Township regulation related to the use and/or installation of temporary water facilities to residents and/or landowners;
- r) Any and all other available safety measures to ensure the health, safety and welfare of Township Residents and First Responders as are reasonable and appropriate.

**WHEREFORE,** Edgmont Township requests that the Commission grant its Petition To Intervene and authorize its intervention and participation in the consolidated proceedings as a full and active party.

Dated: March 14, 2019

Respectfully Submitted,



Michael P. Pierce, Esquire  
Attorney I.D. # 43852  
Pierce & Hughes, P.C.  
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P.O. Box 604  
Media, Pa. 19063  
(610) 566-9111 (voice)  
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[Mppierce@Pierceandhughes.com](mailto:Mppierce@Pierceandhughes.com)

Counsel for Edgmont Township

V E R I F I C A T I O N

I, Michael P. Pierce, Esquire, attorney for the Township of Edgmont, hereby state that the facts set forth above are true and correct to the best of my knowledge, information, and belief. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S. §4904 concerning unsworn falsification to authorities.

Dated: \_\_\_\_\_

3/19/19

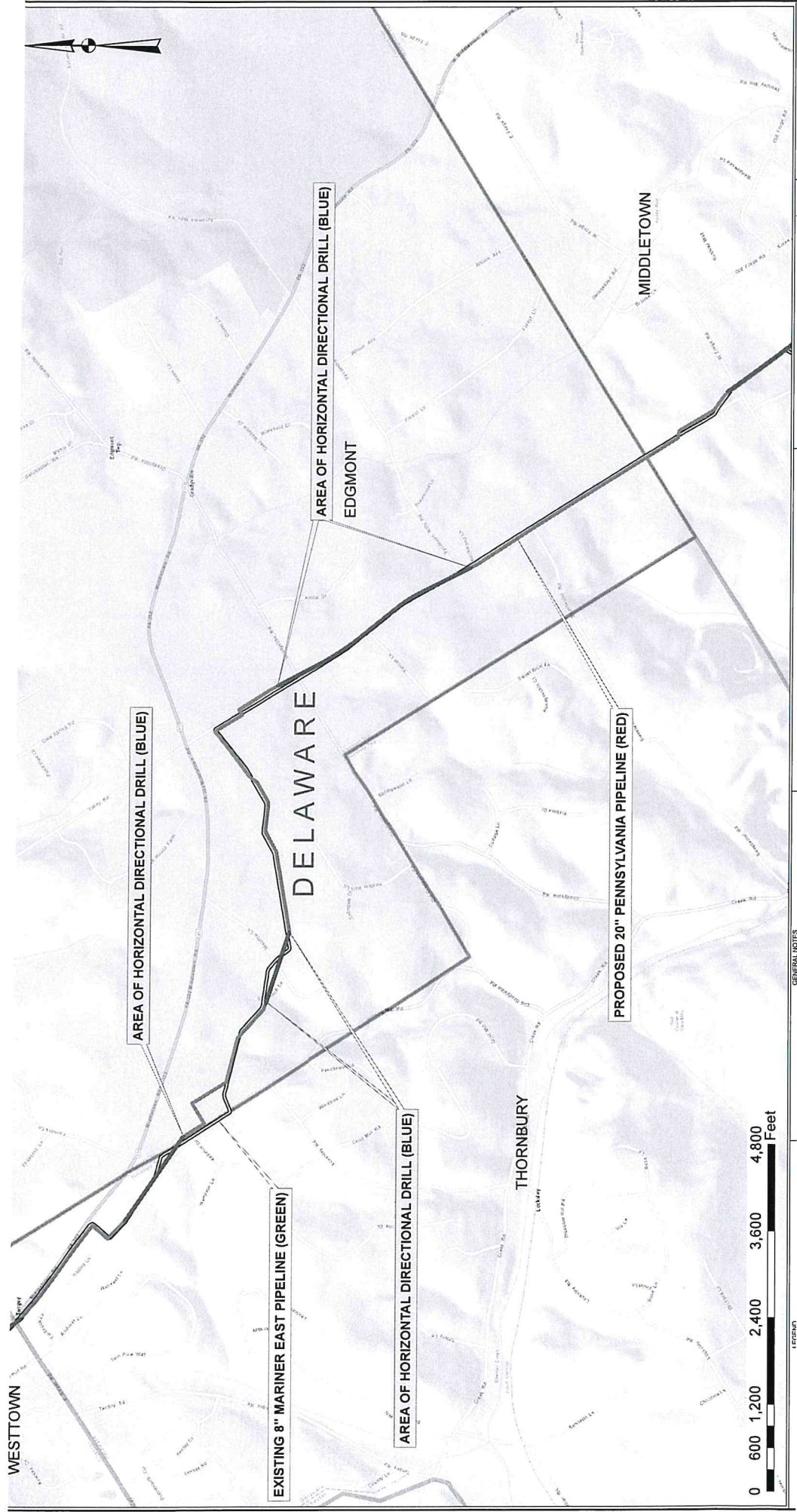
A handwritten signature in black ink, appearing to read 'MP Pierce', written over a horizontal line.

MICHAEL P. PIERCE, ESQUIRE

**EXHIBIT “A”**



# Mariner East Project: Edgmont Township



## **EXHIBIT “B”**

**EDGMONT TOWNSHIP  
DELAWARE COUNTY, PENNSYLVANIA**

**PROCLAMATION**

**A PROCLAMATION** of the Board of Supervisors of Edgmont Township, Delaware County, Pennsylvania, joining with its neighboring municipalities, Middletown Township and Thornbury Township and expressing great concern to the Governor of the Commonwealth of Pennsylvania, to the Secretary of the Pennsylvania Department of Environmental Protection and the Chairman of the Public Utility Commission regarding hazardous liquids transmission pipeline projects that threaten the health, safety and welfare of Township residents.

**WHEREAS**, Sunoco Pipeline L.P. (Sunoco) has announced that it is currently transporting highly volatile natural gas liquids (NGLs) under pressure through Edgmont Township, a "high consequence area," using a repurposed transmission pipeline installed in the 1960s with a capacity of 70,000 barrels (2,940,000 gallons) per day (Mariner East 1); and

**WHEREAS**, an additional proposed Sunoco pipeline known as Mariner East 2 could, if constructed, transport through Edgmont Township an additional 275,000 barrels (11,550,000 gallons) per day of these same NGLS (with the potential to expand to 450,000 barrels (18,900,000 gallons) per day); and

**WHEREAS**, the highly volatile NGLs, which are being transported through the Township for the first time by Sunoco, are, if released, gaseous, invisible, odorless, toxic, heavier than air and highly flammable; and

**WHEREAS**, the Mariner East project has the potential to jeopardize public safety in Edgmont Township by construction methods, accidental leaks, explosions, or fire.

**NOW THEREFORE, BE IT PROCLAIMED**, that the Board of Supervisors of Edgmont Township, Delaware County, joins with its neighboring municipalities, Middletown Township and Thornbury Township, to express its deep concern about the existing and proposed Sunoco Mariner East transmission pipelines to the Governor of the Commonwealth of Pennsylvania, the Secretary of the Pennsylvania Department of Environmental Protection and the Chairman of the Public Utility Commission. Of particular concern to the Board of Supervisors and residents of Edgmont Township are the following:



**FIRST CONCERN:** Essential to the powers of the Township, are the police powers granted by the Second Class Township Code and the power to regulate the uses and development of land by the Pennsylvania Municipalities Planning Code. Exemptions given to public utilities under each of these enabling bodies of law severely preempt the Township's ability to exercise its police powers and its ability to fully protect the health, safety and welfare of its residents and are contrary to the Commonwealth's ongoing obligation under Article 1, Section 27 of the Constitution of the Commonwealth, which provides:

*The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.*

The consequences of such exemptions squarely favor commerce over community safety and are contrary to the preservation of the public trust created by the Commonwealth Constitution. Legislation is needed to more fully empower the Township to exercise control over public utility facilities at the local level, which in turn supports the Commonwealth's responsibility toward the citizens of the Commonwealth under Article 1, Section 27 of the Commonwealth Constitution.

**SECOND CONCERN:** The Mariner East 2 project, including the repurposing of Mariner East 1 to carry NGLs creates a high level of risk to Township residents and their property due to the nature of these highly volatile liquids being transported and proposed to be transported through the Township. This risk must be demonstrably mitigated by such measures as the development of an incident response plan which includes (but is not limited to) viable worst-case evacuation routes developed in cooperation with the Township personnel and affected residents; enhanced safety equipment and safety training for first responders; and separation of new pipelines from existing residences by a distance equal to or greater than the Potential Impact Radius (PIR) of those pipelines.

**THIRD CONCERN:** Over the last 2½ decades, there have been releases from the original Mariner East pipeline which have resulted in damage to property within the Township. Those releases involved petroleum products and occurred prior to the recent repurposing of the pipelines to carry NGLs. The most recent release which occurred on April 10, 2015, caused and continues to cause concerns among affected residents as the breach in pipeline integrity was not detected by Sunoco. The release and subsequent clean up resulted in significant tree clearing and wet lands disturbance. More importantly, local private water supplies still appear to be adversely impacted with residents continuing to report oily residue and unusual color in their potable water supply.

The inherent dangers of transporting highly volatile NGLs under pressure through Edgmont Township, coupled with the fact that if released, these liquids are gaseous, invisible, odorless, toxic, heavier than air and highly flammable, exponentially magnify the need for Sunoco to have reliable methods and safeguards in place (a) to prevent releases in the first place and (b) to immediately detect, control and stop any NGL releases which may occur. These risks can be mitigated by the installation of automatic shutoff valves prior to the Township boundary where the transmission pipelines enter, as well as at the boundary where the transmission pipelines exit the Township and in other appropriate locations within the Township established to maximize resident safety. To the extent that release detection instruments can also be provided to affected residents adjacent to transmission pipelines, they should be provided and maintained by Sunoco with appropriate training provided to residents and Township personnel. This would afford an additional level of safety and notice for Township residents whose properties would be most immediately and severely impacted by a breach of the pipeline and provide Sunoco with the ability to more quickly respond to an emergency, hopefully avoiding the loss of persons and mitigating damage to property.

**FOURTH CONCERN:** The Mariner East 2 project may threaten the private water supply of a number of Township residents as the proposed construction methods has potential to create voids between the proposed pipeline and surrounding earth and that it is Sunoco's intention to leave these voids ungrouted, creating an unacceptable pathway for groundwater contamination. Proper and reasonable safeguards would be for Sunoco to establish a benchmark of the condition and quality of each of the wells within a prescribed radius along the project and monitor those same wells for an acceptable period of time post-construction to reasonably ensure no degradation of the groundwater.

**FIFTH CONCERN:** The Mariner East 2 project construction may disturb and alter essential elements of thoughtfully approved subdivisions. Such disturbance will adversely affect safeguards both within and without those subdivisions which have been carefully implemented in the establishment of those subdivisions. Sunoco must be required to restore such conditions and safeguards to the condition which the same were in immediately prior to the commencement of any construction.

In addition, the introduction of heavy construction equipment on local Township roads may cause significant inconvenience to the traveling public, as well as damage to Township road infrastructure which was not designed to handle such activity. Sunoco needs to ensure the continuity of traffic flow and protect against damage to Township road infrastructure and enforce measures which guaranty that its contractors use only local roads approved by the Township for Mariner East project purposes.

**SIXTH CONCERN:** To the extent that the Mariner East 2 project is approved by all necessary agencies with jurisdiction there over, the Commonwealth must insure that such construction includes the simultaneous construction of both the proposed 20" pipeline and contemplated 16" additional pipeline, whether or not the such construction

is deemed advisable or advantageous by Sunoco. To do otherwise will cause another significant period of hardship, consternation and anxiety to the residents of Township and surrounding community. This is a circumstance which is both unnecessary and easily avoided.

**PROCLAIMED** by the Board of Supervisors of Edgmont Township, Delaware County, Pennsylvania, at the regular meeting of said Board held this 19th day of December, 2016.

**BOARD OF SUPERVISORS**

Edgmont Township,  
Delaware County, Pennsylvania

Ronald Gravina

Ronald Gravina, Chairman

Randolph Bates

Randolph Bates, Vice Chairman

Henry Winchester III

Henry "Hank" Winchester, III, Supervisor

Attest:

Samantha Reiner

Samantha Reiner, Secretary

(TOWNSHIP SEAL)



# TOWNSHIP OF EDGMONT

1000 Gradyville Road

PO Box 267

Gradyville, Pennsylvania 19039

610-459-1662 phone 610-459-3760 fax

March 16, 2018

Gladys M. Brown, Chairman  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
3<sup>rd</sup> Floor, Room N-304  
Harrisburg, PA 17120

**Re: Sunoco ME 1 8" Pipeline for Propane, ethane, natural gas transmission  
Sunoco Point Breeze-Montello 12" Pipeline for Gasoline, diesel fuel, kerosene,  
home heating fuel transmission  
Edgmont Township, Delaware County**

Dear Chairman Brown:

The purpose of this letter is to relay to the Pennsylvania Public Utility Commission some serious safety concerns of the Edgmont Township local elected and appointed officials on behalf of its residents living in the path of existing and proposed Sunoco pipelines. We would like to make the PUC aware of the following facts:

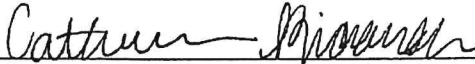
- Edgmont Township is a semi-rural community with approximately 250 single family residential dwellings on well water, in close proximity to the Sunoco existing and proposed pipelines.
- Public water supply is within several hundreds of feet of some of the homes in the area of the Sunoco pipelines, but no distribution lines extend into the area of the pipelines.
- In Edgmont Township, Sunoco currently operates a 12" pipeline to transmit Gasoline, diesel fuel, kerosene, home heating fuel which it calls 'Point Breeze-Montello' and an 8" pipeline to transmit propane, ethane and natural gas which it calls Mariner East 1.
- In Edgmont Township, Sunoco currently is undergoing the installation of two new transmission lines, at 16" and 20", proposed to carry liquid natural gas. The installation of these lines is well underway, with some sections of trench installation completed, and one of three HDD sites partially completed. The project is currently on hold for the 3<sup>rd</sup> time, while the PaDEP further investigates safety concerns.
- Edgmont Township is aware of at least three (3) Sunoco Pipeline 'incidents' resulting in soil and groundwater contamination; those being in 1988, 1992 and 2015.
- All of the 'incidents' which resulted in petroleum products leaking into the environment were discovered as a result of nearby residents smelling the product, not as a result of any integrity testing done by the pipeline operator.



- Sunoco reports to only testing the integrity of its pipelines every 3-5 years!
- Edgmont Township has only ever received testing, remediation and closure reporting on the 1988 incident, and has received no formal reporting related to the 1992 and 2015 incidents which resulted in petroleum product release into the environment.
- Edgmont Township residents in close proximity to the 1992 large release of petroleum product are still complaining of contaminated well water, and black stains on their sinks and appliances. One was recently hospitalized due to sickness she related to bad well water.
- Edgmont Township residents in close proximity to the existing 8" and 12" pipelines have witnessed and expressed serious safety concerns over construction practices employed by the subcontractors of Sunoco while operating heavy equipment on top of the existing *Mariner 1* - 8" and *Point Breeze* - 12" pipelines. Videos have been sent to officials showing huge track hoes sitting on top of dirt covering, or extremely near existing pipelines, smashing car sized rocks in dumpsters causing violent vibrations in the immediate vicinity of the operating, existing pipelines.
- Edgmont Township land owners who own property on which previous owners conveyed easements to Sunoco for pipeline installation are today being treated harshly by right-of-way agents intending to complete maintenance work on either the existing *ME 1* - 8" or the *Point Breeze* - 12" lines. Little or no notice or warning is given before heavy construction equipment and crew show up to work in old easement areas. Residents have expressed their feelings of no respect for privacy by Sunoco.
- **PRODUCT RELEASE & CONTAMINATION:** As a result of a product release in April 2015 from Sunoco's existing line(s), Edgmont officials just learned today of Sunoco's intent to remove approximately 1,000 tons of contaminated soils adjacent to wetlands at the headwaters of Edgmont Township's highest water quality stream tributary, The Rocky Run.
- Private well testing and monitoring well testing in the area of the April 2015 incident and resultant product release evidenced contamination of groundwater, well water, and soil was detected.
- Sunoco reports migration through soils and groundwater of contamination as a result of the April 2015 incident.
- Sunoco intends to complete an HDD drill installation of both 16" and 20" *Mariner East 2* pipeline sections immediately adjacent to the site of the April 2015 incident.
- Edgmont Township officials would prefer that Sunoco is ordered to postpone this segment of installation until such time as a completed Act 2 Process report has been completed, received and reviewed by the township relating to the April 2015 incident.

As a result of the above information, Edgmont Township elected and appointed officials, on behalf of the safety, health and welfare of its residents, requests the PaPUC to comprehensively evaluate the practices and procedures of Sunoco related to the frequency of testing existing pipelines, protection of existing pipelines while installing new infrastructure, and reporting on incidents resulting in contamination of soil, groundwater and drinking water supplies. Thank you.

Very truly yours,  
EDGMONT TOWNSHIP BOARD OF SUPERVISORS

BY:   
Catherine Ricardo, Township Manager

cc: PaDEP  
Office of Attorney General  
State Representative Chris Quinn  
State Senator Tom Killion



# TOWNSHIP OF EDGMONT

1000 Gradyville Road

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Gradyville, Pennsylvania 19039

610-459-1662 phone 610-459-3760 fax

June 11, 2018

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, Filing Room  
Harrisburg, PA 17120

**Re: Petition of Senator Dinniman for Interim Emergency Relief; Docket No. P-2018-3001453; Senator Dinniman v. Sunoco Pipeline L.P.; Docket no. C-201-3001451**

Secretary Chiavetta:

The Edgmont Township Board of Supervisors would like to express its support of the Order dated May 22, 2018, which granted interim emergency relief and review, as requested by Senator Dinniman of Chester County on April 30, 2018. The Order, founded on protecting the public interest and safety in accordance with 66 Pa. C.S. Section 1501, aligns with our fiduciary duty to our residents, and therefore the Board encourages the Pennsylvania Public Utility Commission to adopt the provisions of the May 22, 2018 Order related to continuing safety concerns, plans and procedures related to the pipeline construction occurring in Edgmont Township.

The Mariner East 1, 2, and 2X pipelines run through the western portion of Edgmont Township. The residents of the Township are entitled to and deserve the assurance that these pipelines are being installed, operated, and maintained in a manner that provides the utmost possible safety. Edgmont Township has experienced several issues related to the installation of Sunoco Pipelines, such as inadvertent spills of drilling fluid, erosion and changes in topography, resulting in unanticipated stormwater accumulation and topographical depressions forming from concentrated stormwater accumulation as well as roadway damage that has not been repaired to date. In the past, the Township has also experienced several spills from the existing buried Sunoco pipelines that have damaged property and released petroleum products into the environment impacting the water supply and land in the Township. The effect of disrupting the water supplies of many residents in the Sunoco construction area is still outstanding and is being monitored for several more years. Unfortunately the new construction and existing pipelines are inextricably intertwined thus making it difficult to separate the various issues associated with the pipelines.

In addition, the apparent delayed or in some cases a complete disregard for construction and easement upkeep has caused dangerous conditions and overgrown vegetation which

encourage the presence of nuisance wildlife and insects, thus potentially increasing the risk of exposure to disease to nearby residents. Lastly and most importantly, Edgmont Township is a heavily residential area in close proximity to the current and proposed Mariner East pipelines; to date the appropriate emergency responders and the residents of our Township have not been provided with an adequate emergency management plan and/or a risk assessment evaluation in the event of a leak or explosion.

The directives of Judge Barnes' Order outline how to best provide for the safety of our residents and the protection of their property. It is imperative that these recommendations be considered and implemented in the interest of public safety. Many of the incidents which have resulted from the construction of Sunoco Pipelines have occurred without making emergency responders aware of the situation and/or communicating crucial information about these issues to the proper authorities. These concerns, and more were outlined in the Proclamation adopted by the Board of Supervisors on December 19, 2016, a copy of which is enclosed. The majority of those issues outlined in the proclamation have still not been adequately addressed by Sunoco, the PUC, DEP, or Governor Wolf.

It is the duty of our state representatives to ensure the health, safety, and welfare of its residents, and the Township of Edgmont strongly believes that our representatives need to hold Sunoco Pipeline L.P. responsible for their actions and ensure the protection of our state and its residents. The Board of Supervisors would like to thank the PUC for your important work in evaluating Judge Barnes' Emergency Order and respectfully request that you review the Order with an eye toward implementation of appropriate safety considerations for the residents of Edgmont Township.

On behalf of the Edgmont Township Supervisors and the residents in which we serve, we would like to thank you for your consideration.

Very Truly Yours,



Ronald Gravina  
Chairman, Board of Supervisors

Enclosure

cc: Sen. Thomas Killion  
Rep. Christopher Quinn  
Governor Wolf





# TOWNSHIP OF EDGMONT

1000 Gradyville Road

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Gradyville, Pennsylvania 19039

610-459-1662 phone 610-459-3760 fax

January 16, 2019

Gladys M. Brown, Chairman  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, Filing Room  
Harrisburg, PA 17120

**Re: Repurposing of Sunoco 12" Point Breeze to Montello Pipeline  
Request for Emergency Response Support**

Dear Ms. Brown,

The Edgmont Township Board of Supervisors has made multiple efforts to express ongoing concerns with the Sunoco Mariner East 1, 2, and 2X pipelines in Edgmont Township. On behalf of the Board of Supervisors, I am writing to you again to underscore previous concerns and urge you to prioritize the immediate public safety concerns to Edgmont residents related to Sunoco's operations specifically related to the repurposed lines that are now operational. On December 29, 2018, with state and federal approval, Sunoco began transporting hydrocarbon gas liquids (HGLs) through its existing 12" Point Breeze to Montello Pipeline in Edgmont Township. As you know, Sunoco has not yet completed the Mariner East II Pipeline which has been the subject of paramount concern to our residents.


The Township is aware of some of the efforts Sunoco has undertaken to repurpose this section pipeline that is over 70-years old to use for transmission of HGLs but unfortunately the lines of communication have not been very forthcoming and have been difficult to navigate leading to speculation and unnecessary efforts to obtain accurate information by residents and Township officials. In its repurposing efforts Sunoco has fallen short of addressing the necessary public safety concerns raised by Edgmont Township. Sunoco has outlined alarming changes to the way the existing pipeline was repurposed and utilized. The Township insists Sunoco make available enhanced detection and emergency response support to match the change in the products now carried through its pipeline. Sunoco's own guidelines on HGLs indicate that the products are odorless, tasteless, heavier than air, and not visible to the naked eye. The products are under extreme pressure to remain in a liquid form as they travel through Edgmont and these repurposed lines.

To the Township's knowledge, Sunoco has made minimal efforts to enhance its detection of a leak of an HGL pipeline or provide enhanced safety equipment and qualified personnel to first responders. Sunoco has not been forthcoming with safety related information and detection in order for the Township to implement its own emergency management plan. Furthermore, risk assessments recently conducted by Delaware County Council and Del-Chesco United for Pipeline Safety indicate that the standard

emergency notification systems that Delaware County and Edgmont Township have in place (known as "DELCO Alert") could provide an ignition source as these alerts are pushed to cell phones, tablets, computers, etc. in the event of a pipeline disaster notification/alert. These are the most common methods of receipt of warnings of any nature. To date, Sunoco has not communicated with the Township areas that need to be addressed regarding a working plan in conjunction with the County, Township, and its emergency responders. There needs to be an appropriate alert system and emergency response to address these concerns and allay the safety concerns of our residents.

Additionally, Sunoco representatives have confirmed to the Township that early detection devices are placed only at valve stations to detect any changes in pressure or release between valve stations. That is not sufficient for Edgmont Township as the valve stations are non-existent or minimal within Township boundaries. Edgmont has experienced, on at least one occasion, the release of product through a pinhole size hole in the existing Mariner East I pipeline in April 2015. This was a far less volatile product and much more easily detectable than the current HGLs being piped through the Township. This leak was not detected between valve stations and was only discovered by a nearby resident who smelled the telltale scent of petroleum product. It is of grave concern to our residents and first responders that a similar release of HGLs would not have been detected in this manner due in large part to the nature of its odorless and tasteless characteristics. Such an undetected leak could result in disastrous consequences of loss of life and property. For this reason, the Township insists that Sunoco be required to install early detection devices in additional locations along the pipeline path and not just at valve stations. The Township believes that such a release can and does happen and that reliance on valve station pressure checks is insufficient to protect its residents without the implementation of further safeguards and emergency management plans.

The residents of the Township are entitled to and deserve the assurance that these pipelines are being installed, operated, and maintained in a manner that provides the utmost possible safety. The change of use, pressure, and product require that Sunoco provide safety measures tantamount to the products it is now transporting. It is the duty of our state representatives to ensure the health, safety, and welfare of its residents, and the Township of Edgmont strongly believes that our representatives need to hold Sunoco Pipeline L.P. responsible for its actions and ensure the protection of our state and its residents. Please consider requiring Sunoco to implement appropriate safety considerations no less than what has been outlined above for the public safety of the residents of Edgmont Township. On behalf of the Edgmont Township Supervisors and the residents in which we serve, we thank you for your consideration.

Very Truly Yours,  
  
Ronald Gravina  
Chairman, Board of Supervisors

Enclosure

cc: Sen. Thomas Killion  
Rep. Christopher Quinn  
Governor Wolf  
Energy Transfer Partners



**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PUC INVESTIGATION AND ENFORCEMENT, : Docket No. C-2018-3006534  
Complainant :  
v. :  
SUNOCO PIPELINE, L.P. a/k/a :  
ENERGRY TRANSFER PARTNERS :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the foregoing Petition to Intervene upon the parties of record in this proceeding in accordance with the requirements of 52 Pa. Code 1.54 (relating to service by a participant), in the manner listed below upon the persons listed below:

Dated:

**SERVICE BY FIRST CLASS MAIL**

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Michael L. Swindler, Deputy Chief Prosecutor  
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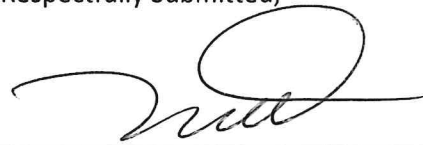
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Dated:

3/19/19

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Michael P. Pierce', written over a horizontal line.

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